

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

**Scott S. Harris**  
Clerk of the Court  
(202) 479-3011

August 5, 2024

Clerk  
United States Court of Appeals  
for the Eighth Circuit  
Thomas F. Eagleton Courthouse  
111 S. 10th Street, Room 24.329  
St. Louis, MO 63102-1125

**Re: Arlen Foster  
v. Dept. of Agriculture, et al.  
No. 23-133 (Your docket No. 22-2729)**

Dear Clerk:

Attached please find a certified copy of the judgment of this Court in the above-entitled case.

Sincerely,

SCOTT S. HARRIS, Clerk

By



M. Altner  
Assistant Clerk – Judgments

Enc.  
cc: All counsel of record

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Solicitor General  
United States Department of Justice  
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Washington, D.C. 20530-0001

**Re: Arlen Foster  
v. Dept. of Agriculture, et al.  
No. 23-133**

Dear Counsel:

Today, a certified copy of the judgment of this Court in the above-entitled case was emailed to the Clerk of the United States Court of Appeals for the Eighth Circuit.

The petitioner is given recovery of costs in this Court as follows:

**Clerk's costs:                      \$300.00**

This amount may be recovered from the respondents.

Sincerely,

SCOTT S. HARRIS, Clerk

By



M. Altner

Assistant Clerk – Judgments

cc: Clerk, 8<sup>th</sup> Cir.

(Your docket No. 22-2729)

**Supreme Court of the United States**

**No. 23–133**

**ARLEN FOSTER,**

Petitioner

**v.**

**DEPARTMENT OF AGRICULTURE, ET AL.**

**ON PETITION FOR WRIT OF CERTIORARI** to the United States Court of Appeals for the Eighth Circuit.

**THIS CAUSE** having been submitted on the petition for writ of certiorari and the response thereto.

**ON CONSIDERATION WHEREOF**, it is ordered and adjudged by this Court that the petition for writ of certiorari is granted. The judgment of the above court is vacated, and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Loper Bright Enterprises v. Raimondo*, 603 U. S. \_\_\_\_ (2024).

**IT IS FURTHER ORDERED** that the petitioner, Arlen Foster, recover from Department of Agriculture, et al., Three Hundred Dollars (\$300.00) for costs herein expended.

July 2, 2024

